

# The Organic Law of the Kingdom of the Talossa

(DRAFT 5 – March 2018)

## PREAMBLE

WHEREAS, the people of the Atatürk, the Sovereign Province of Benito, Cézembre, the Free Province of Fiôvâ, Florencia, Maricopa, Maritiimi-Maxhestic, the United Provinces of Vuode and Dandenburg, have agreed to unite in one indissoluble union under the Crown of the Kingdom of Talossa, and recognize the sole reason for the existence of the Kingdom of Talossa is to protect the rights enumerated in the Covenant of Rights and Freedoms, hereby establish this Organic Law for the purpose of protecting those rights:

## Chapter I: General Points of State

This Organic Law recognizes the absolute authority of the Covenant of Rights and Freedom, and hereby recognizes that the State established to protect that Covenant is comprised of three pillars: the Crown, the Government, and the Judiciary. Where the general points described in this chapter addressed in other chapters, the provisions contained herein shall be precatory; where the general points described in this chapter are not addressed elsewhere, they shall be binding provisions of the Organic Law.

still not a  
fan of this

### **Article 1. The State**

#### Section 1. Name

The name of the State, in the national language, is El Regipäts Talossán. In English, the name of the State is the Kingdom of Talossa.

#### Section 2. Spirit of Talossa

The reality of the Kingdom of Talossa is lived out most positively through its historic spirit, of which all Talossan institutions are guardians and enhancers. The Kingdom of Talossa is a community of persons having fun by doing things which are reasonably similar to what other ("real") countries do, whether for reasons of tourist nostalgia, out of a lust for power, in pursuit of parody, or -- yes -- as nation-building.

#### Section 3. Definition of Legal Territory

The metropolitan territory of Talossa consists of all land on the Talossan Peninsula south of a line drawn from east to west through points lying equidistant from the north and south curbs of Edgewood Avenue, i.e. the former border between the City of Milwaukee and the Village of Shorewood. The territorial waters of the Kingdom extend half-way out into the Milwaukee

River, south and west of the national territory. The territorial waters extend into the Talossan Sea (Lake Michigan), a distance of three kilometres eastward. The metropolitan territory also includes the island of Cézembre, off the coast of France. Talossan territory shall also include the Talossan overseas colony, Pengöpäts Antarctic Territory, and any lands or islands that are formed or that may appear in Talossa's territorial waters, in whole or in part, and extends into the atmosphere above the land and water territory. This territory is sacred and inviolable. It shall not be ceded, reduced or broken up. This territory is claimed, occupied and administered by right of history and shall never be abandoned.

#### Section 4. Capital

The Capital of the Kingdom of Talossa shall be known as Abbavilla, which shall be defined by law.

What needs defining about this?

#### Section 5. The Crown

The Kingdom of Talossa is a constitutional monarchy, as presided over by the Crown,

#### Section 7. The Secretary of State

The Secretary of State shall supervise the administration of the State. Responsibilities, appointment, and dismissal of deputies to the Secretary of State shall be governed by law.

Still don't like this here

### Article 2. The Government

#### Section 1. Legislative Power

The legislative power of the Kingdom of Talossa shall be vested in the national parliament, which shall consist of a Senate, and a Cosâ, and shall be known as the Ziu of the Kingdom of Talossa.

#### Section 2. Head of Government

The Prime Minister shall be known as the Head of Government for the Kingdom of Talossa, and shall be chosen based on the provisions set forth herein.

#### Section 3. Ministries of Government

The Government shall consist of Ministries set forth by this Organic Law and established by statute as necessary.

Remove Ministries from organic law

#### Section 4. General Elections

General elections are to be held annually and in accordance with the provisions found herein.

#### Section 5. The Judiciary

In the introduction to chapter I, you defined the three branches of Talossa as the crown, the government, & the Ziu. However, now, in this section that you called "the Government," you also included the judiciary.

Perhaps you should rename the Article "Governance of Talossa," with sections on the Crown (move ch. I, A. 1, Sec. 5), gov't, & judiciary



capital 6  
The Judiciary shall exist separate from the government and operate under the principles of the Rule of Law, which require laws to be publicly promulgated, equally enforced, and independently adjudicated.

## Chapter II: The Ziu

→ Since we are establishing the three branches as the Crown, Government, & Judiciary, the subsequent three chapters should have those names in the order they are mentioned in chapter I.

### Article 1. Composition of the Ziu

The national parliament of the Kingdom of Talossa shall be known as the Ziu, and composed of two equal houses known as the Senate and the Cosâ.

would restructure as:

Chapter II: Government

Article I: Ziu

Section I:

Section II:

Article II: The Prime Minister

Art III: Elections

### Article 2. Organic Authority

#### Section 1. Power of the Ziu

The Ziu shall have power to make laws for the peace, welfare, and good government of the Kingdom of Talossa with respect to ~~the~~ census and statistics; weights and measures; currency, coinage, and legal tender; appropriation, and outlays of the public revenue and moneys of the Kingdom, but so as not to discriminate between Provinces or Territories or parts thereof; copyrights, patents, and trademarks; postal, telegraphic, telephonic, radio, television, internet, and other like services; the defense of Talossa, and parts thereof; the control of the forces to execute and maintain the laws of Talossa; commerce within and without the territory of Talossa; corporations formed under the laws of Talossa; immigration and emigration, naturalization and aliens; treason and sedition; symbols, flags, heraldry, anthems, cultural events and other like things in Talossa, but not of the individual Provinces; disputes and relations between provinces; and the creation of new provinces.

Perhaps Article I is law applied to both, then A II is Senate & II is Cosâ.

looks like some of the current powers are missing.

#### Section 2. Limitations of the Ziu

The Ziu shall not pass any statute that contravenes the Organic Law or the Covenant of Rights and Freedoms, or breaches the autonomy reserved for the Provinces.

#### Section 3. Authority Otherwise Reserved for the Provinces

All powers not enumerated in this Organic Law shall be delegated to the authority of the Provinces.

### Article 3. Sessions of the Ziu and Law Applicable to Both Houses

#### Section 1. Duration, Prorogation, and Dissolution

Part 1. Duration of the Ziu. The Ziu shall sit for no more than eleven Clarks. The First Clark shall consist only of electing a Prime Minister and cabinet and of considering any outstanding Royal Veto. The subsequent Clarks shall consist of introduction, passage, and certification of legislation. The Final Clark, to occur immediately preceding the next general election, shall consist only of elections to the Electoral Commission, or for passage of bills in their second recording, as described elsewhere in this Organic Law, or of considering any outstanding Royal

This seems like a lot. I'm afraid that infrequent elections may harm activity.



Veto. Legislation may be introduced during the Clarks subsequent to the First Clark but not in the Final Clark.

Part 2. Prorogation of the Ziu. In the event that the Ziu has no legislative business as certified by the Secretary of State, the Prime Minister may call for a Prorogation, where no Clark shall be published, and no business of either house of the Ziu may be effectuated. A Prorogation shall not be used to extend the duration of time to the next general election. A Prorogation may be used for the purpose of holding impeachment trials, as described elsewhere in this Organic Law. ★

Part 3. Dissolution of the Ziu. Upon completion of the Final Clark, the Secretary of State shall promulgate the writ of dissolution, and in so doing, all individuals shall relinquish their seats in the Cosâ. Ministers may continue to perform their function until such time as a new government is established, but may not issue or promulgate any regulation or advisory opinion on a statute or regulation.

Part 4. Loss of Vote of Confidence. The Ziu shall be deemed automatically dissolved upon certification that the Government has failed a vote of confidence for the purpose of introduction of the First Reading of legislation. In the event of that a Prime Minister loses a vote of confidence, the immediate subsequent Clark shall be deemed the final Clark, and shall adhere to the guidelines set forth in Part 1 of this section.

what does this mean?

current law allows judges to be & I don't think that is a big deal

#### Section 2. Eligibility, Qualification, and Disqualification to Sit in the Ziu

Senators sit in the Ziu

All citizens of the Kingdom of Talossa, having reached the age of majority, shall be eligible to sit in the Ziu, provided they are not a Judge or Justice in any national court of Talossa, or hold the title of Senator, Secretary of State, Monarch, or Royal Representative. No individual may simultaneously sit in the Senate and in the Cosâ.

oops, forgot the king would no longer be considered part of the Ziu

### Article 4. The Senate

#### Section 1. Composition of the Senate

Each province shall be represented by one senator. The Deputy Secretary of State shall serve as the Senator of the Government, but shall have no vote, unless the Senate be equally divided.

Do you mean Distain? what if the Distain is already in the Ziu?

#### Section 2. Election to the Senate

The provinces shall retain the authority to elect a Senator as they see fit. A senator must be a citizen of the province in which they are a Senator. Senate seats shall be staggered into thirds based on a fixed rotation to be set by law. Any changes to the rotation shall require two-thirds vote of the Senate, with a simple majority of the Cosâ with Royal Assent.

Provinces may set out procedures for the appointment of a Senator who has resigned or been removed in accordance with Section 4 of this Article.



### Section 3. Prerogative of the Senate

this doesn't  
need to be  
in the Orglaw

The Senate shall have the authority to set forth its parliamentary procedure, but may change such established procedure during only the First Clark. The Senate may also award medals of honor as it deems necessary. The Senate shall enjoy the right to govern itself as it deems necessary and proper.

### Section 4. Expulsion and Removal from the Senate

Part 1. Repugnant Behavior. The Senate retains authority to determine repugnant conduct warranting expulsion. However, no modification of conduct shall come into force against a sitting Senator until such time as they have sat for reelection.

Part 2. Procedure for Expulsion. A Senator shall be deemed expelled if, after that Senator has been made to answer for the charges levied through an internal trial for which the Senate shall set forth procedure, a call for expulsion is supported by a simple majority of the body, notwithstanding the charged Senator's vote. An expelled Senator may not participate in the acts of the Senate, including voting on legislation. — they should be able to vote until their province removes them

Part 3. Removal of a Senator. Upon a Senator being deemed expelled, within one month, the Secretary of State shall submit a referendum to the Senator's constituency, following the same duration and procedures set forth in regards to a national election, as to whether the Senator shall be removed, which shall require an affirmative vote of a simple majority. If the expulsion occurs in the Final Clark, the referendum shall correspond with the national election. The provinces

shall retain the right to determine whether to permit a challenger or challengers to run in the event removal is passed. The expelled Senator may not run as a challenger. The result of the removal shall determine the vacancy, and in the event removal is adopted, the winner of the challengers shall assume the seat. In the event an expelled Senator survives removal, they shall resume their right to fully participate in all senate proceedings, and may not be subject to expulsion based on the same transaction or occurrence.

the first  
section of this  
says provinces  
may choose  
to allow  
challengers,  
but the latter  
part assumes they  
all do.

is this the word you meant?

### Article 5. The Cosâ

#### Section 1. Composition of the Cosâ

The Cosâ shall consist of no less than double the seats of the Senate. The Ziu shall retain the power to increase or decrease the number of seats as necessary by passage of legislation, which shall require an affirmative vote of no less than 60% of the the Cosâ and a simple majority of the Senate.

#### Section 2. Election to the Cosâ

The Cosâ shall be elected by universal ballot cast for a specific political party, seats shall be awarded according to proportional representation. Upon the certification of election results, the

ADD MANDATORY COSA LISTS



Secretary of State shall make public the final tally of votes for each political party. To receive seats in the Cosâ, a political party must receive no less than five percent (5%) of the vote to sit in the Cosâ.

PLEASE NO

### Section 3. Prerogative of the Cosâ

The Cosâ must continuously profess its confidence in the ability of the Prime Minister and the Government to function, which is demonstrated by a vote of confidence taken with each Clark by those sitting in the Cosâ. The Cosâ shall have the authority to set forth its parliamentary procedure, which shall be inherited from preceding Cosâ. Any changes must be established in the First Clark. The Cosâ shall enjoy the right to govern itself as it deems necessary and proper.

### Section 4. Removal from the Cosâ

Part 1. Repugnant Behavior. The Cosâ shall retain authority to determine conduct that it deems repugnant warranting removal of a sitting member. All repugnant conduct shall be inherited from the preceding Cosâ, but may be modified only in the First Clark, effective upon adoption by 60% majority of the Cosâ.

Why is the procedure for determining repugnant behavior in the two chambers different?

Part 2. Procedure for Expulsion. Pursuant to procedures set forth by the Cosâ, any member may charge another member with repugnant conduct, and upon receiving consent of the Prime Minister accompanied by 25% of the sitting members, that member shall be deemed expelled; however, absent the Prime Ministers consent, 40% of the Cosâ shall register their support for the charge. Upon meeting this threshold, the sitting member is deemed expelled.

Part 3. Procedure for Removal by the Cosâ. A member deemed expelled shall not participate in any proceedings before the Cosâ except for the internal trial established under the rules and procedure of the Cosâ. At the conclusion of that trial, upon an affirmative vote of 75% of the sitting members, the expelled member is deemed removed, with the seats to be reallocated by the Party who has an interest in those seats. Should this be in accordance with what if that was the sole member of the party? - - - - - cosa lists 2. - - - - -

Same with Senate expelled members should still be able to vote until actually removed

Part 4. Procedure for Removal by the Party. Upon the provision of part 2 of this section being met, the Party may, according to its own procedures, recall the member and reallocate their seats. How would this be certified by the SOS, so he knew the provisions were followed?

Part 5. Longevity of Removal. (a) An individual removed in accordance part 3 of this section shall be precluded from being allocated seats by any Party in the Cosâ until such time as two national elections have occurred notwithstanding the first subsequent election; (b) an individual removed in accordance with Part 3 of this section shall be precluded from being allocated seats by any Party in the Cosâ until such time as one national election has occurred notwithstanding the first subsequent election; and (c) an individual who forms their own party and meets the requirements of section 2 of this article may not seat themselves for the duration of their removal.

I'm not sure this can be made to work in practice

So, 3 nat'l elections? →

Sections (a) & (b) above seem to say the same thing, except the number of elections is different.

this seems unnecessary since one independent would have to



Part 6. Other provisions. (a) An individual may removed during the final clark; (b) no individual may be subject to a charge during the First Clark; and (c) an individual who is expelled but survives removal shall immediately have their privileges restored and may not be forced to answer for conduct resulting from the transaction or occurrence.

## Article 6. The Government

### Section 1. The Head of Government

Part 1. The Prime Minister. The Prime Minister shall be known as the Head of Government for the Kingdom of Talossa, and shall be chosen based on the provisions set forth herein. The Prime Minister may appoint a Deputy Prime Minister, who shall be confirmed according to Section 2 of this Article.

Part 2. Eligibility and Authority . Any member of the Cosâ shall eligible to be Prime Minister except for those who hold the title Monarch or Royal Representative, or Senator or Justice. The Prime Minister may recommend to the Monarch that a Minister should be removed, issue speeches to the nation in writing, declare war pending approval of the Cosâ enter treaties pending the approval of the Cosâ, and expedite the Ziu's consideration of legislation.

*Antone can make a speech whenever they want, remove*  
*Why? please remove*  
*The "pending approval of the Cosâ" is vague; does it just mean the PM must act first?*

Part 3. Prime Dictates. The Prime Minister may issue Prime Dictates that shall have the effect of law. A Prime Dictate may override a Ministerial regulation.

Part 4. Limitations. The Prime Minister shall issue no prime dictate that contradicts a law passed by statute, or that contradicts a judicial order interpreting a statute. The Ziu may, by legislation, nullify a prime dictate.

*Any PD that isn't ephemeral is likely to contradict a statute, making the power not very useful in emergencies when it needs to be used.*

### Section 2. Cabinet Ministers

*Replace w/ a section simply acknowledging that ministries exist.*

~~Part 1. List of Ministries. The Government shall consist of the Ministry of Foreign Affairs, the Ministry of Defense, the Ministry of the Interior, the Ministry of Stuff; and the Ministry of Justice. Each ministry shall be lead by a Minister appointed in accordance with guidelines set forth in Article 7, Section 3, Part 3 of this Chapter.~~

~~Part 2. Authority of the Ministries. The authority of these Ministries shall be set by law as established by the Cosâ. The authority shall be within the common meaning of that ministry; the authority of an Organic Ministry shall not be hollowed by the acts of the Ziu in favor of a Statutory Ministry.~~

*All Ministries Should be statutory*

Part 3. Subordination to the Prime Minister. All Ministers are subordinate to the Prime Minister and must adhere to guidance set forth by that office. All Ministers, with the consent of the Prime Minister, may appoint a deputy minister. All deputies serve at the pleasure of the Prime Minister and their respective Minister.

*Include that the PM can act on behalf of any Minister*



Part 4. Removal of a Minister. The Prime Minister may petition the Monarch to remove a Minister, who shall have discretion as to whether to grant the Prime Minister's request. In the event the Monarch refuses such a request, the Prime Minister may ask the Cosâ to hold an immediate vote of confidence related specifically to that Minister. A Minister may, at their discretion, seek a vote of confidence if the Monarch removes a Minister.

Can this be only Minister or just the one that was removed? Does the Minister continue to serve until the vote is complete?

This seems unnecessary.

Part 5. Resignation. A Minister may resign at any time. An Organic Minister who votes contra in a general vote of confidence shall be deemed to have automatically resigned.

Do we really need regulations? I don't think so.

Part 6. Regulations Promulgated by Ministries. Each Organic Minister shall have authority to promulgate regulations based on the authority of their ministry, under guidance of the authority and statutes of the Ziu. The Prime Minister shall have absolute authority to undo a regulation promulgated by an Organic Minister.

Part 7. Exceptions for the Deputy Prime Minister. Upon a Prime Dictate by the Prime Minister with assent of the Monarch, a duly appointed Deputy Prime Minister shall be Acting Prime Minister, until such time as the Prime Minister rescinds that Prime Dictate. Rescission does not require Royal Assent. Further, the Deputy Prime Minister may be removed from office at the pleasure of the Prime Minister for any reason they may deem necessary.

Why? If anything the process to remove the Dictator should be more strict than regular Ministers, not less

### Section 3. Statutory Ministries

~~The Ziu may establish statutory ministries, which shall not seek to displace those ministries mandated by this Organic Law, but shall be governed by section 2 of this article.~~

## Article 7. General Election

### Section 1. Administration of National Election.

Part 1. Registration of Political Parties. (a) Political parties are independent and formal organizations that shall govern themselves in accordance with the Covenants of Rights and Freedoms; (b) the Ziu shall set by law the registration requirements of a group seeking recognition of as a political party; and (c) the Secretary of State may promulgate regulation regarding party registration, provided such regulation does not contravene an of the Ziu or this Organic Law.

"an out of"

Part 2. Administration. (a) The Ziu shall set by law the procedure for the administration of national elections; (b) the Ziu may delegate the responsibilities of conducting an election to the Secretary of State or any ~~major~~ ministry it deems necessary; (c) in the event of delegation, the Ziu may authorize the extent to which the individual or entity may set rules and procedures not inconsistent with its law, provided that all rules and procedures are promulgated three months prior to the national election.



Part 3. The Senate. (a) The Ziu may permit a province to delegate the authority to conduct its Senatorial election to the individual or entity established to conduct national elections; (b) such a delegation of power accepts as governing any and all law or regulation with respect to the Senatorial election, including those protected rights listed in part 4 of this section, and shall not request any exceptions or exemptions or accommodation; and (c) a province reserves the right to revoke this delegation provided it does so within two months of the next national election.

If exceptions can be provided, then why should it that?

Why so strict? At least remove to statute.

Part 4. Protected Rights. (a) No citizens, having achieved the the age of majority as set forth in Chapter VII, article I, section 1 of this Organic law, shall be disenfranchised through the the use of taxes or tests or other undue burdens; (b) the right to a private ballot shall never be encumbered by an act of the Ziu or any representative of the State, and said right shall survive the death of the individual; (c) the Ziu shall enforce this protection by appropriate legislation as is necessary and proper.

Mandate Secret ballots

## Section 2. Certification of the National Election.

Part 1. Minimal Requirements. Certification must include an apportionment of seats for the Cosâ, a declared winner in a Senatorial race<sup>all</sup>, the results of any referendum voted upon, or any other matters for which citizens voted that relates to the national government.

What else would there be to certify?

Part 2. Certification. All national elections must be certified in accordance with law set by the Ziu. In the event the Ziu fails to proscribe law, the Monarch may set up a temporary procedure for certification.

## Section 3. Formation of the Government

Part 1. Formation of the Government. (a) Upon certification of the general election, and apportionment of seats, any Party may announce their intent to form a government; (b) such a statement of intent shall include a proposed cabinet and budget; and (c) ~~if the Secretary of State is satisfied the intent was made in good faith~~, the First Clark shall be called; (d) nothing in this provision shall prevent multiple statements of intent.

Instead of having the SOS judge, we should set up a time period between certification & the first Clark where parties can put together plans.

Part 2. The First Clark and the Cosâ. (a) The Cosâ shall sit for the First Clark, and no business except the election of a Prime Minister, appointment of Ministers, the passage of a budget and the consideration of any outstanding Royal Veto shall be considered; (b) the Prime Minister and budget shall be presented presented as an indivisible vote and passed by a simple majority; (c) each Minister must receive a simple majority vote; (d) in the event that the Cosâ does not confirm a Prime Minister and budget, the process shall repeat for a maximum of two rounds before a new national election is called. Two total or two after the first?

Would the Ziu then vote to choose between PMs & budgets & other Ministers if multiple parties made bids? If so, use IRV

Part 3. The Cabinet. (a) The Prime Minister shall immediately seek Royal Assent for each Cabinet Minister; (b) if the Crown is silent for a period of two weeks, assent shall be deemed

What happens if a Minister does not receive assent? Can other nominations be held in subsequent Clarks?



The 2nd Clark would need to be organized regardless of whether the PM was confirmed

automatic; (c) if Royal Assent is withheld for a specific Cabinet nominee, the Cosâ may reconfirm the nominee by a simple majority; (d) notwithstanding a failure to be confirmed pursuant to subsection c of this part, meeting all other requirements, the Prime Minister must immediately inform the Secretary of State to prepare for the Second Clark.

Part 5. Other Procedural Matters. (a) During the First Clark, members of the ~~2nd~~ <sup>1st</sup> may introduce legislation to the Hopper for consideration in the Second Clark; (b) the budget shall not require a second reading.

#### Section 4. Matters Unique to the Senate (Remove)

I still think this is not important enough to be here

Part 1. The First Clark and the Senate. ~~The~~ The Senate shall, after every national election, choose one of its members to be the President of the Senate to be called the Lord President, and as often as the office of Lord President becomes vacant the Senate shall again choose a senator to be the Lord President.

Part 2. Other Procedural Matters. ~~The~~ During the First Clark, members of the Senate may introduce legislation to the Hopper for potential consideration in the Second Clark.

This could be taken out if the above was changed to M2s

This could be moved somewhere into section 1

#### Section 5. Applicability of This Article on Referenda and Provincial Elections

Part 1. Referenda and National Polls. All procedures set forth in this article shall apply to any referenda set or national poll held separately from a general election. *Specify Sections 1 & 2 (sk 4 are irrelevant)*

This was already stated earlier, remove

Part 2. Provincial Elections. The Ziu may permit the provinces to delegate the administration of provincial elections to the national government, which shall be conducted in accordance with the national election laws and rules, and under the same understanding expressed in Chapter II, Article 7, Section 1, Part 3 of this Organic Law.

### Chapter III: The Executive Government

#### Article 1. The Sovereign

##### Section 1. The Role of the Sovereign

The Crown shall be occupied by one individual henceforth known as the Monarch, in which certain Royal Powers and duties as prescribed in this Organic Law shall be vested; the Ziu may vest statutory duties into the Crown as it deems necessary provided it does so in accordance with this Organic Law; the failure of the Crown to take an affirmative action within a reasonable amount of time must be understood as the Royal Assent. The Monarch may choose to style themselves as King or Queen if they so desire. The Monarch must maintain political neutrality at all times and may submit a vote only by private ballot.

what is "reasonable"

The first part here doesn't seem important enough for the org law & the second part might violate the covenants



## Section 2. Citizenship and Succession

The Monarch must at all times be a citizen of the Kingdom of Talossa as defined by law, and upon renunciation or loss of citizenship shall be deemed to have abdicated the Crown. This Organic Law recognizes the sole right of the Government of the Kingdom of Talossa to set forth law regulating the proper succession of the Crown. The Ziu may change the law of succession only with an affirmative two-thirds vote of both houses.

This is almost working  
IMO:  
just sat the Ziu can set & change the rules w/ 2/3 of both houses

## Section 3. Deposition

In the event that the Monarch is determined by a medical authority to be incapable of executing their duties, or if they are otherwise deprived of their natural liberty due to crimes committed in another sovereign State, or if they are convicted of high crimes to be determined by the Ziu as prescribed elsewhere in this Organic Law, the Monarch shall be deemed to have abdicated the Crown.

Add provision for removal in other circumstances.

## Section 4. Infancy

If, under the laws set forth by the Government of the Kingdom of Talossa, the Crown is inherited by an individual in their infancy, to be defined by the law, the Ziu may appoint a Royal Representative, who shall perform the duties of the Monarch until such time as the Monarch achieves the age of majority. The Royal Representative must otherwise meet all citizenship requirements, and any other requirements set forth by the Government of the Kingdom of Talossa.

Ziu?

## Section 5. Deference

The Monarch may, prior to abdication or death, and in anticipation of an infant sovereign, appoint a Royal Representative, which may not be overturned absent two-thirds vote by the Ziu, except if the abdication is the result of a cause set forth in section 3 of this article, upon which the Monarch's appointee must be ratified by a two-thirds vote of the Ziu.

## Article 2. The Royal Household

### Section 1. The Chancery

The Chancery shall be headed by the Secretary of State and shall oversee the Royal Household and perform the administrative duties of the State without influence of partisanship. The Scribe of Abbavilla, the Colleges of Arms, and Other Offices as established by the Ziu, shall be within the charge of the Chancery.

Why not just via the normal method above? or should regular approval require 2/3 majority?

### Section 2. Appointment and Responsibilities of the Secretary of State

The Prime Minister shall appoint the Secretary of State, who upon confirmation through a simple majority of the Senate and with Royal Assent, shall serve for a period of no more than two years per appointment, to be determined in the sixth month of a current government. The Responsibilities of the Secretary of State shall be prescribed by law.

All of this is unnecessary now b/c of Civil Service reform

### Section 3. The Scribe of Abbavilla

The Scribe of Abbavilla shall be tasked with updating the National Report of statutory law, and updating the Official Organic Law. The Scribe may, at their discretion, take on additional tasks, such as maintaining the official digest of regulation or official report of the Judiciary.

### Section 4. The College of Arms

The College of Arms shall be head by the Squirrel King or Queen, and shall be appointed by Royal Assent. The regulations and procedures of the College of Arms shall be proscribed by law.

### Section 5. Other Offices

The Ziu may establish other offices of the Royal Household as necessary and proper.

## Chapter IV: The Judiciary

### **Article 1. Authority of the Uppermost Cort**

#### Section 1. Jurisdiction

Part 1. Original Jurisdiction. The judicial power of the Kingdom of Talossa shall be vested in one Uppermost Cort. The original jurisdiction of the Uppermost Cort shall extend to all cases, in law and equity, arising under this Organic Law and the Covenants of Rights and Freedoms, and treaties made, or which shall be made, under their authority, to all cases affecting ambassadors, other public ministers and counsels, to all cases of admiralty and maritime jurisdiction, to controversies to which the Kingdom of Talossa shall be a party, to controversies between two or more Provinces, between a Province and citizens of another Province, between citizens of different Provinces, and between a Province, or citizen thereof, of foreign States. The judiciary of Talossa shall retain the power of judicial review.

Part 2. Appellate Jurisdiction. In all other cases before mentioned, the Uppermost Cort shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations, as the Ziu shall make.

### **Article 2. Composition of the Uppermost Cort**

#### Section 1. Eligibility to the Uppermost Cort

All Talossans, eligible to serve in the Ziu, shall be eligible to set in the Uppermost Cort. Neither a reigning Monarch or their Consort, nor a Royal Representative, nor the Secretary of State, nor the Prime Minister, or any Public Prosecutor, nor any member of the Ziu, nor any Minister, shall serve as a Justice of the Uppermost Cort.

#### Section 2. Appointment to the Uppermost Cort

JUDICIAL REFORM



Part 1. Nomination by the Ziu. In the event of a vacancy to the Uppermost Cort, any member of the Ziu may nominate a replacement.

Part 2. Confirmation by the Ziu. (a) That nominee shall be approved by a two-thirds vote in the Cosâ, and confirmed by a simple majority in the Senate; (b) bills confirming judicial nominees are not subject to a Second Reading.

Part 3. Certification by the Monarch. (a) Upon certification, the Monarch shall give Royal Assent within one week; (b) the Monarch may make an affirmative statement to withhold assent, which must be accompanied by an explanatory statement as to the reason assent was withheld; (c) failure to provide such a statement renders the withholding of assent null and, upon the aforementioned passage of time, Royal Assent is given; (d) the Ziu may override the withholding of Royal Assent by a simple majority to certify in both houses.

### Section 3. Sitting Justices

Part 1. Number of Justices. (1) The Uppermost Cort shall consist of no less than three Justices; (b) the Ziu shall retain authority to increase that number; (c) the Ziu shall retain authority to decrease the number of Justices, which shall not impact any sitting Justices; (d) at any time there sits an even number of justices, one justice must recuse themselves either through self-choice or internal lottery.

Part 2. Longevity of Service. (a) All Justices shall serve for a period of six years, and may be re-affirmed by a simple majority of the Ziu and with Royal Assent; (b) if 20% of either House challenges reconfirmation, the Justice must undergo a formal confirmation as described in section 2 of this article.

### Section 4. Impeachment and Removal of a Justice of the Uppermost Cort.

Part 1. For cause. The Ziu may remove a Justice for cause, defined as crimes and treason, or or for failure to perform their duties for a period of 90 days or when such failure is the result of continued conflicts, or for statements and public conduct that may undermines the rule of law or public confidence in the judiciary, as to be set forth by the Ziu.

Part 2. Impeachment of a Justice. (a) The Cosâ shall file a formal charge, based on a simple majority of Cosâ; (b) such a charge shall be accompanied by a public debate where the Justice must be invited to speak on their behalf; (c) any sitting member of the Cosâ may call a vote, and upon a vote of 60% to impeach, the Justice is deemed impeached and may not participate in any judicial proceedings.

Part 3. Removal of a Justice. (a) If the Cosâ impeaches a justice, the Senate shall commence a formal trial as overseen by the Lord President of the Senate; (b) the Lord President may, at any

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point, call the vote, which, upon receiving 60% in the affirmative for removal, shall remove the Justice from the Uppermost Court.

### Article 3. Inferior National Courts

#### Section 1. Authority of the Ziu

The judicial power of the Kingdom of Talossa having been vested in one Uppermost Court, the Ziu may, from time to time, establish such inferior courts.

#### Section 2. Jurisdiction

The jurisdictional authority of inferior Courts shall be set forth by the Ziu, provided they do not extend beyond the limitations set forth by Article 1 of this Chapter.

#### Section 3. Other Matters.

Part 1. Name. All inferior Courts shall be presided over by a judge.

Part 2. Relationship with the Uppermost Court. (a) The Uppermost Court shall retain final appellate authority over an inferior Court with a panel of no less than three judges; (b) a sitting Justice may serve as a Judge for an inferior Court, provided the number of Justices then on the Uppermost Court is four or greater; (c) a Judge presided over an inferior Court may not preside over an appeal unless another Justice is unavailable due to a conflict, at which point the parties may consent to one of the conflicted Justices sitting on the case, or request the Ziu to appoint an acting Justice.

Part 3. Remaining Matters. (a) The Ziu, in establishing such inferior Courts, must include provisions as to longevity, impeachment and removal, which may merely adopt those that apply to Justices; (b) notwithstanding Part 2 of this section, the Ziu may disallow a sitting Justice from acting as a Judge in an inferior Court.

### Article 4. Covenant, Organic and Statutory Interpretation

#### Section 1. Deference to the Covenants of Rights and Freedoms

All national Courts of Talossa shall decide every case, statute, or provision in accordance with the Covenants of Rights and Freedoms. Where a statute or provision of this Organic Law contradicts the Covenants of Rights and Freedoms, that statute or provision must be declared invalid.

#### Section 2. Precedent and Interpretation

Part 1. Stare Decisis. The Court should adhere to the principles of stare decisis but retains the authority to define its parameters.

Part 2. Interpretation. The Court should interpret the Organic Law and Covenants of the Rights and Freedoms as a living instrument in light of the circumstances as they exist according to the plain meaning of the terms at the time of the case or controversy.

I've said this before but I'm not a fan of ~~the~~ telling Justices how to use precedent & how to interpret.



Part 3. Persuasive Authority. Where the Covenants of Rights and Freedoms, the Organic Law, or Statutory Law is silent as to a specific case or controversy in front of the Cort, and provided that the Cort has not previously issued guidance, the Cort may look to the laws of other common-law jurisdictions for persuasive authority.

### Section 3. Continuity of Law.

This Organic Law recognizes the foundational concept of the Common Law from the Anglo-American system, and incorporates those decisions into the jurisprudence of this Judiciary, insofar as the Cort has not otherwise manufactured a unique Talossan approach.

## Chapter V: Source of Law

### Article 1. Hierarchy of Law

#### Section 1. Covenant of Rights and Freedoms

The Covenant of Rights and Freedoms is the absolute authority and source from which all aspects of the Talossan ~~State authority~~ derives its authority to pass this Organic Law.

*kingdom of* *repeat?*

#### Section 2. The Organic Law

The Organic Law is the Supreme Law governing ~~the State of~~ the Kingdom of Talossa, and shall be the Supreme law of the land, subordinate only to the Covenant of Rights and Freedoms.

#### Section 3. Statutes Passed by the Ziu, Treaties, and International Law

Part 1. Acts of the Ziu. The Ziu, having been vested with the authority to pass legislation in accordance with the Organic Law and Covenant of Rights and Freedoms, shall have its law deemed superior to all others except those of the Organic Law and Covenant of Rights and Freedoms. Treaties having been ratified by the Ziu, as well as accepted International Law, shall enjoy the authority of statutory law.

Part 2. The Courts shall retain the power of Judicial Review as it relates to ensuring the acts of the Ziu do not contravene the Organic Law or Covenant of Rights and Freedoms. The Ziu may overturn a judicial interpretation only through the amending the Organic Law or Covenant of Rights and Freedoms.

*Why can't the interpretation of statute be changed by changing the statute?*



#### Section 4. Judicial Interpretation and the Common Law Established and Recognized by the Judiciary

Part 1. Judicial Interpretation of Statutory and Regulatory Law. Judicial interpretations of the Statutory Law and Regulatory Law, shall have the same authority as the laws themselves until such time as the Ziu changes the law.

Case law typically is below statute law b/c the circumstances in which case law is issued are very specific usually.

Part 2. National Common Law. The Judiciary shall retain the authority to recognize the Common Law of Talossa separate from its powers of judicial review. Such common law may be retained until such time as the Ziu passes legislation overturning, codifying or clarifying the law.

Part 3. The Rule of Law. The Rule of Law, being understood to mean an independent judiciary to ensure that all individuals and the State are subject to and treated equally to the law, adopts the common-law understanding of this concept.

This seems grammatically fishy & I would reword

Still don't think we need for this

Part 4. Ministerial Regulations. (a) The Prime Minister, having the power to issue Prime Dictates, shall enjoy the authority of regulatory law; (b) regulations promulgated by the various Ministries shall have the power of law as prescribed in this Organic Law or the statutory act under which the Ministry was created; (c) a Ministry may issue an interpretation of a regulation or rule it promulgated, which shall have persuasive authority; (d) if the Ziu has seen fit to permit the Ministry to operate a tribunal, such decisions shall be subject to appeals to the judiciary.

#### Section 6. Organic Protections of Province Law

No act of the Ziu or the national Courts, or of any Ministry, shall contravene those powers explicitly reserved for the Provinces, unless such conduct breaches the Organic Law or the Covenant of Rights and Freedoms.

### Article 2. Passing Legislation

#### Section 1. The Role of the Ziu

The Ziu possess the sole authority to pass statutory law, as described elsewhere in this Organic Law. The Ziu is prohibited from passing ex post facto laws and Bills of Attainder.

#### Section 2. Introduction of Legislation and Monthly Journals

Part 1. The Hopper. The Ziu shall set forth the procedure for the introduction of legislation.

Part 2. Limitations. No new legislation may be introduced in the Final Clark.

#### ~~Section 3. Publication of the Monthly Journal of Proposed Acts~~

Part 3. The Ziu shall retain authority to establish the procedure for the monthly journal of proposed acts.

This should just be a part of the above section



#### Section 4. Obligations of Members of the Ziu

Part 1. Senatorial Vote. All Senators may vote pēr (aye), contra (nay), or austanēju (abstain) for any measure before the Senate. All Senators must, during every Clark, respond to a roll call.

could be combined

Part 2. Cosâ Vote. All Members of the Cosâ may vote pēr (aye), contra (nay), or austanēju (abstain) for any measure before the Cosâ. All Members of the Cosâ must, during legislative Clarks, make their presence known by voting ŪC (Yes) or Non (No) during a Vote of Confidence.

Part 3. Proposed Legislation. (a) All acts must contain a reference to the appropriate provision of the Organic Law or Covenant of Rights and Freedoms from which the Ziu may pass the proposed act; (b) if the author of the act so desires, they may include a non-binding statement of intent; (c) the Ziu shall retain authority to set forth other rules necessary to ensure proposed legislation is proper.

could be moved to section 2

Why does this need to be included?

#### Section 5. Upon an Affirmative Vote by the Ziu

Part 1. The First Reading. (a) All legislation, having been properly Hoppered, must pass both houses of the Ziu by a simple majority unless otherwise specified; (b) there shall be no First Reading in the Final Clark; (c) the author of a bill may withdraw a bill prior to a Second Reading at any time, but must resubmit that bill for a First Reading.

Part 2. The Second Reading. (a) All legislation, having passed the First Reading, must be passed in the immediate subsequent Clark; (b) the Second Reading must be without amendments or material modifications, but may fix typographical or grammatical mistakes; (c) if passed by a simple majority of both houses in the Second Reading, the act shall be submitted for Royal Assent.

Are senses of the Ziu subject to a 2nd reading?

#### Section 6. Royal Assent

Part 1. Royal Assent. (a) The Royal Assent, being mandated for all bills, shall be deemed automatic unless the Monarch takes an affirmative action to issue a Royal Veto within ten days of passage; (b) laws are considered to be in effect the moment Royal Assent has been given, unless the act sets forth an explicit date upon which enforcement shall occur after Royal Assent.

Part 2. Royal Veto. (a) The Monarch may issue a Royal Veto after the Second Reading of a Bill, or may indicate their desire to veto after passage of the First Reading; (b) a Royal Veto must include a statement by the Monarch, describing with specificity, why a Royal Veto was issued; (c) such a statement must be presented with the Bill if any member of the Ziu seeks to overturn a veto.

If the Monarch announces intent to veto after the 1st reading, does it go straight to a 2nd reading?

Part 3. Overcoming Royal Veto. (a) The Ziu may overcome a Royal Veto with a simple majority in the subsequent Clark, known as the Third Reading, and in the event the veto came after the



Final Clark, during the First Clark of the new Government; (b) a Third Reading shall be the only legislation that may be submitted to vote in the First Clark, and may not contain any changes.

### Section 7. Referendum

Part 1. Procedure and Authority. The Ziu may prepare referenda and submit these to popular vote of the people as it sees fit. The referendum may be advisory (a non-binding public opinion check) or may have the force of law upon its approval by a majority of those who vote on it. Referenda questions appear on the ballot during the next general election, or sooner, if the Prime Minister so chooses to authorize.

Part 2. Subject to Protections of the National Election. Early referenda shall be conducted in an identical fashion as any other General Election, with the same procedure established by the Ziu.

### Article 3. Publication of Law

#### Section 1. All Statutes, Treaties, or other Acts by the Ziu

Part 1. Mandate to the Ziu. The Ziu must set by law the procedure by which the publication of law in national journals readily available to the People shall be made, and may delegate the responsibility to an individual or entity that shall promulgate all laws.

Part 2. Failure to Delegate. If the Ziu fails to meet its mandate in part 1 of this section, the Monarch shall have authority to direct the this responsibility until such time as the Ziu remedies its defect.

Part 3. The Ziu shall instruct the codification of passed acts into clear journals, ~~and shall retain the authority to establish separate journals for different areas of law~~, but shall maintain a separate journal for statutes, statements of intents, treaties, and other acts of the Ziu.

↳ isn't this just vetoes?

#### Section 2. The Judicial Report

Part 1. Publication in National Reporter by the Clerk of the Court. (a) All binding decisions of the Judiciary shall be published in a national reporter; (b) all nonbinding opinions of the Judiciary shall be published in a separate reporter.

Part 2. Delegation of Responsibility. (a) The Judiciary may delegate this responsibility to an individual within the Cort; (b) the Ziu may delegate this responsibility but such an act shall require, in addition to Royal Assent, a statement of assent by a majority of sitting Justices on the Uppermost Cort. *Can assent be revoked?*

#### Section 3. Ministerial Regulations

Part 1. Publication in National Digest by the Respective Minister. All Ministers are responsible for publishing regulations in the National Digest and, with the permission of the Ziu, request

this was said earlier.  
In fact, this whole section could be moved to the Elections Article

not important enough

Don't think we need this

permission of those individuals or entities delegated by the Ziu to publish said rules and regulations.

## Chapter VI: Territorial Subdivisions

### **Article 1. Territorial Integrity of Talossa**

Provinces are self-governing and autonomous. They are administered by constitutional governments elected democratically within the Province. Provincial borders may only be changed by the Ziu with the consent of the Province or Provinces in question.

### **Article 2. Provinces of Talossa**

#### *Part 1)* Section 1. Assignment of Provinces

Citizens living outside of Talossa are assigned to a Province by the Ziu at the time of their naturalization by the Ziu, in accordance with the laws in place, however, no person shall have his assignment to a Province altered without his express consent, even if the Ziu shall see fit to redraw the geographic assignment boundaries.

#### *Part 2)*

All Talossan citizens living in Talossa shall belong to the Province in which they live, even when provincial borders change and the citizen's home is thereby "reassigned" to a different province, provided that such alteration of assigned province is not contra to that individual citizen's expressed dissent.

→ If the citizen is in Talossa, & the physical borders of the provinces change, they should be forced to switch. otherwise physical borders mean nothing.

#### Section 2. Government of Provinces

Each Province shall govern itself in such a manner as to guarantee its citizens the full protection of their rights under this Organic Law and Covenants of Rights and Freedoms. ~~Provinces may conduct their elections themselves or delegate the conduction of their elections to the Chancery.~~

Already said earlier

The Monarch shall appoint a Constable for each Province. Until such time as the Monarch or Constable proclaims a provincial constitution providing otherwise, a Province's Constable shall serve as Military Governor and may exercise all the powers of the provincial government. No Constable shall proclaim any provincial constitution, nor shall any province pass a constitutional amendment, which conflicts with any provision of this Organic Law or with any other national law. No Constable shall proclaim any provincial constitution which has not been approved by a referendum in which at least either a majority of all citizens of the province or a two-thirds majority of votes actually cast is in favor of the constitution.

#### Section 3. Autonomy of Provinces

The autonomy of the Provinces shall never be questioned ~~by the National government, nor by the Monarch, nor by the Judiciary.~~ No Province may secede.

listing is unnecessary.

#### Section 4. Admission of New Provinces



No new province shall be constituted after the adoption of this Organic Law unless said proposed province shall contain within it a working constitution with an elected government and a citizenry comprising at least ten persons.

### **Article 3. Territories of Talossa**

#### **Section 1. Law of Territories**

Territories are non-self-governing parts of the realm, and are under direct authority of the ~~Prime Minister and the Ziu.~~ *What exactly would the PM have control over?*

### **Chapter VII: Citizenship**

### **Article 1. Source of Citizenship**

#### **Section 1. Natural Citizens**

Children born after 1 January 1989/X, one (or both) of whose biological or adoptive parents is a Talossan citizen at the time of the birth, are native-born Talossan citizens ("Dandelions") and shall automatically have full voting rights when they register themselves with the respective Ministry on or after their 14th birthday. *Chonart?*

#### **Section 2: Naturalization**

Any foreigner or Cestoûr who feels in his heart of being Talossan may acquire Talossan citizenship by following the naturalization procedures set forth by law.

#### **Section 3: Discrimination Between Naturalization and Birth-Right**

Talossan citizens may live within the country or abroad. This distinction does not affect their legal standing or their civil or political rights. There shall be no rights unique to citizenship acquired by birth-right nor by naturalization.

### **Article 2. Loss of Citizenship**

#### **Section 1. Renunciation**

Any Talossan may renounce their own citizenship, which shall be effective based on the procedure to be set by the Ziu.

#### **Section 2. Loss Due to Fraud**

Any Talossan who has been found to have obtained citizenship through the use of Fraud shall face criminal penalty as set forth by the Ziu, which shall be prosecuted by the Government of the Kingdom of Talossa in a Cort of Law, and upon a verdict of guilt, shall automatically be deemed to have lost their citizenship.

#### **Section 3. Loss Due to Conviction in Foreign Country**

Any Talossan who is convicted certain crimes that are so egregious as to shock the conscience by courts of certain foreign jurisdictions, shall be deemed to have relinquished their citizenship in the Kingdom of Talossa pursuant to procedures set forth by the Ziu.

#### Section 4. Loss Due to Inactivity

The Ziu shall have the authority to determine the citizenship status for any citizen who, without good cause, fails to vote in a three consecutive general elections, as measured against their last vote, provided they have not also participated in a national census or have not otherwise made their presence known.

This is  
vague:  
the two  
year rule  
for no  
GE/census  
seems better

### Chapter VIII: Covenant of Rights and Freedoms

#### Article 1. Principal of Dual Constitutionality

##### Section 1. Covenant of Rights and Freedoms Superior

As stated elsewhere, the Covenant of Rights and Freedoms shall serve as the foundational document that governs the Organic Law and any and all law and aspect of the Kingdom of Talossa. Its supremacy shall never be questioned in the realm.

##### Section 2. Organic Law Subordinate to the Covenant of Rights, and Freedoms

The Organic Law serves as the Supreme Law of the governance of the Kingdom of Talossa, and recognizes that it exists to effectuate the protection of rights enumerated by the Covenant of Rights and Freedoms.

#### Article 2. Amendments to the Covenant of Rights and Freedoms

The Covenant of Rights and Freedoms shall provide its own method for amendment or modification, and this Organic Law shall be interpreted to adhere to those requirements.

All of this  
has been said  
elsewhere:  
do we  
really need  
it?

### Chapter IX: Amendments to the Organic Law

#### Article 1. Amendments Initiated by the Ziu

##### Section 1. Super-Majority of the Ziu

Any member of the Ziu may propose an amendment to the Organic Law, which shall require a two-thirds passage of the Cosâ according to the rules set forth for passing legislation, and a super-majority majority of the Senate, according to the rules set forth for passing legislation.

Use  
consistent  
terms

##### Section 2. Simple Majority in National Referendum

Why  
shouldn't  
the people  
still get a  
say even if  
the amendment  
gets a 2/3  
margin?



Any proposed amendment that receives the requisite two-thirds in both houses in the First Reading but fails to achieve that result in the Second Reading, or receives two-thirds in both readings in the Cosâ but a simple majority in either reading in the Senate, may, at the discretion of the Prime Minister, be submitted to a public referendum, which shall require a national vote by a simple majority. *Would set a  $\frac{2}{3}$  majority in this case, &  $\frac{1}{2}$  majority if the amendment gets  $\frac{2}{3}$  in both houses both times.*

### Section 3. Royal Assent

Royal Assent shall never be required for an Amendment to the Organic Law passed under this Article.

## Article 2. Organic Convocation

### Section 1. Initiated by super-majority of resolutions passed by Provinces

If a three-fourths of the Provinces pass a resolution for an Organic Convocation, then such a Convocation shall be commenced within two months.

### Section 2. Ratification by Sixty Percent (60%) of National Vote

Any amendments passed by the Organic Convocation must be submitted to a national vote under the rules and laws governing a referendum and general election, and may pass only with a sixty percent vote (60%) or greater of the electors.

### Section 3. Authority of Organic Convocation

The authority of the Organic Convocation to address the concerns expressed by the Provinces shall be limited in the resolutions set forth by the Provinces, and shall never exceed that authority.

### Section 4. Royal Assent

Royal Assent shall be required for amendments passed by Organic Convocation, and is deemed automatic if not withheld within ten days of certification. In the event such Royal Assent is withheld, the Monarch shall issue a statement explaining with specificity the reason for withholding Assent, and the amendment and explanation shall be submitted to the Ziu for approval. If both houses of the Ziu approve the amendment by a two-thirds majority on the First Reading, the amendment is deemed to have received Royal Assent. If the Ziu approves the amendment by a simple majority on the First Reading, then it must pass by a simple majority on the Second Reading, and will then be considered to have received Royal Assent.

I think the king should still be involved, along the lines of the majority amendment

How would the Convocation work & be constituted? This is very vague.

~~Amendment to the Organic Law passed under this Article~~